IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

WEDNESDAY, THE 29TH NOVEMBER 2006 / 8TH AGRAHAYANA 1928

WP(C).No. 31676 of 2006(U)

PETITIONER:

KUNJIRAMAN DEVARAJAN,
AGED 60 YEARS, SECRETARY,
OZHUKUPARA PONKALVILA DEVI (BHADRAKALI) TEMPLE,
PARAVOOR VILLAGE, RESIDING AT SUNIL LAND,
PUTHANKULAM CHERI, POOTHAKKULAM VILLAGE,
KOLLAM.

BY ADV. SRI.V.JAYAPRADEEP

RESPONDENTS:

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1. THE SUB INSPECTOR OF POLICE,
PARAVOOR, KOLLAM DISTRICT.

2. AJITH RAJ, S/O.BABURAJ,
AGED 27 YEARS, ELAMBAZHIKATHU HOUSE,
MEENAD CHERI, PARAVOOR VILLAGE,
KOLLAM.

3. SUDHAMANI, AGED ABOUT 60 YEARS,
W/O.BABURAJ, ELAMBAZHIKATHU HOUSE,
MEENAD CHERI, PARAVOOR, KOLLAM.

4. BABURAJ, AGED ABOUT 64 YEARS,
S/O.KUNJURAMAN, ELAMBAZHIKATHU HOUSE,
MEENAD CHERI, PARAVOOR VILLAGE,
KOLLAM.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.SASIDHARAN NAMBIAR,J.

W.P.(C)NO.31676 OF 2006

DATED THIS THE 29th DAY OF NOVEMBER, 2006

JUDGMENT

This petition is filed under Article 227 of Constitution of India seeking a writ of mandamus or other direction to respondents 2 to 4 not to commit any mischief in the existing temple. According to petitioner O.S.483/06 is filed before Sub Court, Kollam and I.A.3448/06 is filed for an order of temporary injunction. The question of granting relief sought for in this petition is to be considered by Sub Court, Kollam where the suit is pending. The extraordinary jurisdiction of this Court under Article 227 cannot be invoked to grand the relief sought for. Petitioner is at liberty to move the Sub Court for an early posting of the case. If petitioner files such an application to advance the hearing before the Court below, the Court may advance them and pass appropriate order.

Petition disposed.

M.SASIDHARAN NAMBIAR,JUDGE

Acd